



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 5**  
**230 SOUTH DEARBORN ST.**  
**CHICAGO, ILLINOIS 60604**

REPLY TO THE ATTENTION OF:  
5CS-TUB-3

**SEP 2 1988**

Samuel J. Rodino  
Attorney At Law  
314 West Lexington Avenue  
Elkhart, Indiana 46516

Re: Accra Pac, Inc.

Dear Mr. Rodino:

Enclosed, as per your request in our telephone conversation of September 1, 1988, is a copy of the Administrative Record Index regarding the Unilateral Order issued to Accra Pac. Also, I checked with the Freedom of Information staff person who was responsible for providing you with the document requested in your last communication, the Weston Report dated June 25, 1987. Though a copy had been provided by my office to him on July 18, 1988, he does confirm that it has yet to be sent out to you. I instructed him to send it without further delay.

To reiterate another subject of our conversation, if Accra Pac is interested in an efficient and technically preferable approach to determining the extent of contamination remaining on site, it should communicate with the Baker Estate representatives about taking groundwater samples simultaneously with the soil sampling in the saturated zone.

Also, to restate the Agency position, we are willing to meet with representatives of the respondents if they are seriously interested in compliance with the administrative orders. If they are not, we have no alternative but to seek enforcement of said orders through the judicial process. Until there is a clear demonstration of compliance, our assumption will be that the latter is necessary.

Sincerely,

Charles McKinley  
Assistant Regional Counsel

Enclosure

cc: Ken Theisen

# ADMINISTRATIVE RECORD INDEX

RE: UNILATERAL ADMINISTRATIVE ORDER (CERCLA Section 106)  
ISSUED TO ACCRA-PAC, INC.,

MARCH, 1988

<u>NO.</u>	<u>DATE</u>	<u>TITLE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>DOCUMENT TYPE</u>
1	9/13/87	Administrative Actions Through Unilateral Orders (14-14-B)*	U.S. EPA		DELEGATION
2	9/13/87	Administrative Actions Through Consent Orders (14-14-C)*	U.S. EPA		DELEGATION
3	✓ 7/13/76	Groundwater contamination, with Attached diagram and notes.	Patrick L. Stevens, Acting Chief Enforcement Branch Division of Water Pollution Control State of Indiana	Dr. Setish Shah, President Accra-Pac, Inc.	CORRESPONDENCE
4	✓ 1/86	Emergency Action Plan For ACCRA PAC Elkhart, Indiana	Weston-Sper Technical Assistance Team Region V	U.S. EPA Region V	PLAN

<u>NO.</u>	<u>DATE</u>	<u>TYPE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>DOCUMENT TYPE</u>
5	8/6/86	Administrative Order By Consent In the matter of Property located at 2600 Industrial Park- way, Elkhart, Indiana	U.S. EPA	Warner Baker	ADMINISTRATIVE ORDER
6	✓ 4,5-87	Superfund Fact Sheet Former Accra-Pac Site re: U.S. EPA Investigation Identifies Contamination, Analyses Detect II Compounds as clean up begins, actions, Recommendations Determine Site Future	U.S. EPA	Public	NEWSLETTER
7	? 6/25/87	Report Pursuant to Contract No. 68-01-7367 (Accra Pac PRP Removal monitoring).	Weston-Sper	U.S. EPA	REPORT
8.	✓ 1/7/88	Ground Penetrating Radar Survey at the Accra-Pac Site, Elkhart, Indiana	Mark Vendl, Geologist Technical Support Unit	Karen Vendl, Geologist CERCLA Enforcement Section	MEMO

\* FILED SEPARATELY